

AMENDED IN SENATE JULY 8, 2015  
AMENDED IN ASSEMBLY MAY 5, 2015  
AMENDED IN ASSEMBLY APRIL 15, 2015  
AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1385**

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**Introduced by Assembly Member Ting**  
*(Coauthors: Assembly Members Gipson and Mullin)*  
*(Coauthors: Senators Beall and Nielsen)*

February 27, 2015

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An act to ~~add~~ *amend* Section ~~72218 to 72208~~ of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1385, as amended, Ting. Community colleges: accreditation.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law specifies the duties of the board of governors, including, among other duties, establishing minimum standards for the formation of community colleges and districts. Under existing regulatory authority, the board of governors requires each community college to be accredited.

This bill would prohibit the accrediting agency from imposing a special assessment on community colleges to pay for the accrediting agency's legal fees for any lawsuit unless there has been an affirmative vote of the majority of the chief executive officers, or their designees,

of all of the community colleges. The bill would excuse compliance with this prohibition if the Chancellor of the California Community Colleges determines that the accrediting agency's compliance would violate federal law, *as specified*.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 72208 of the Education Code is amended*  
2     *to read:*

3     72208. (a) The accrediting agency for the community colleges  
4     shall report to the appropriate policy and budget subcommittees  
5     of the Legislature upon the issuance of a decision that affects the  
6     accreditation status of a community college and, on a biannual  
7     basis, any accreditation policy changes that affect the accreditation  
8     process or status for a community college.

9     (b) The Office of the Chancellor of the California Community  
10    Colleges shall ensure that the appropriate policy and budget  
11    subcommittees of the Legislature are provided the information  
12    required to be reported pursuant to subdivision (a).

13    (c) (1) *The accrediting agency shall not impose a special*  
14    *assessment on community colleges for the accrediting agency's*  
15    *legal fees for any lawsuit, unless there has been an affirmative*  
16    *vote of the majority of the chief executive officers, or their*  
17    *designees, of all of the community colleges. Each community*  
18    *college, as represented by its chief executive officer, or his or her*  
19    *designee, shall be eligible to cast a vote on the assessment.*

20    (2) *This subdivision does not apply to the accrediting agency's*  
21    *activities that are related to private educational institutions in the*  
22    *state or educational institutions outside of the state.*

23    (3) *This subdivision does not affect the authority of the United*  
24    *States Department of Education regarding educational institutions.*

25    (4) *Compliance with this subdivision shall be excused if the*  
26    *Chancellor of the California Community Colleges determines that*  
27    *federal criteria for recognition of an accrediting agency by the*  
28    *United States Department of Education prohibit the accrediting*  
29    *agency from complying with this subdivision.*

30    ~~SECTION 1. Section 72218 is added to the Education Code,~~  
31    ~~to read:~~

1     ~~72218. (a) The accrediting agency shall not impose a special~~  
2 ~~assessment on community colleges for the accrediting agency's~~  
3 ~~legal fees for any lawsuit, unless there has been an affirmative~~  
4 ~~vote of the majority of the chief executive officers, or their~~  
5 ~~designees, of all of the community colleges. Each community~~  
6 ~~college, as represented by its chief executive officer, or his or her~~  
7 ~~designee, shall be eligible to cast a vote on the assessment.~~

8     ~~(b) This section does not apply to the accrediting agency's~~  
9 ~~activities that are related to private educational institutions in the~~  
10 ~~state or educational institutions outside of the state.~~

11     ~~(c) This section does not affect the authority of the United States~~  
12 ~~Department of Education regarding educational institutions.~~

13     ~~(d) Compliance with this section shall be excused if the~~  
14 ~~Chancellor of the California Community Colleges determines that~~  
15 ~~federal criteria for recognition of an accrediting agency by the~~  
16 ~~United States Department of Education prohibit the accrediting~~  
17 ~~agency from complying with this section.~~